

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RIGGS TECHNOLOGY HOLDINGS,  
LLC,

Plaintiff,

v.

VAGARO, INC.,

Defendant.

Case No. 21-cv-07927-TSH

**ORDER GRANTING MOTION TO  
DISMISS**

Re: Dkt. No. 10

We are here on Defendant Vagarro, Inc.’s motion to dismiss Plaintiff Riggs Technology Holdings, LLC’s Complaint on the ground that U.S. Patent No. 7,299,067 (“the ‘067 patent”) is invalid under 35 U.S.C. § 101. The Court finds oral argument on this motion unnecessary and accordingly vacates the January 13, 2022 hearing in this matter.<sup>1</sup>

The ‘067 patent concerns “methods and systems for electronically providing education, instruction and/or training to remote end users.” ‘067 patent at 1:19-21. The patent recites that company-provided training has historically required workers to physically go to a training site. *Id.* at 1:49-2:4. This can be inconvenient for the employees, and the company can incur the employee’s travel and indirect expenses. *Id.* at 2:5-14. Existing technology has found a solution to this problem with online training over the internet, and the patent cites Continuing Legal Education classes for attorneys as successful examples of that. *Id.* at 2:15-25. Another solution is satellite training that offers satellite-based instruction at the trainee’s place of business. *Id.* at 2:45-48. However, neither online training nor satellite-based training are perfect solutions. The former lacks feedback, may be too long and may have too many instructional materials; and the

<sup>1</sup> The parties have consented to magistrate judge jurisdiction pursuant to 28 U.S.C. § 636(c). ECF Nos. 9, 14.

1 latter may require specially equipped training rooms. *Id.* at 2:45-62.

2 In recent years, handheld devices have become increasingly popular for storing and  
3 maintaining information. *Id.* at 3:25-28. Wireless capabilities allow handheld devices to remotely  
4 interact with other computers and exchange data with them. *Id.* at 3:36-41.

5 The inventor of this patent has recognized the convenience that online training and  
6 education have brought to busy workers and professionals since the advent of the internet. *Id.* at  
7 3:59-61. He has also noticed that vast improvements in wireless technology can further enhance  
8 existing offerings in online education and current training applications that are primarily focused  
9 on a wired connection. *Id.* at 3:61-66. His invention, therefore, enables users of handheld  
10 computers that are wirelessly connected to a network to engage in training, be evaluated on the  
11 understanding gained by the user from the training, and allows for the reporting of the results of a  
12 user's activity and evaluation to a course administrator. *Id.* at 4:7-14. He says that his invention  
13 has developed new methods and systems for providing and managing the provision to and  
14 execution of training by users via handheld wireless devices, as well as improvements for the use  
15 of fixed, networked computers already deployed and familiar in the field of online education and  
16 training. *Id.* at 4:20-25.

17 Helpfully, the parties agree on a couple of things. They agree that claim 1 is  
18 representative, and neither side contends that claim construction is necessary before the Court can  
19 evaluate patentability under section 101.

20 So, let's conduct the *Alice* analysis. First, the Court determines if the claims at issue are  
21 directed to an abstract idea. *See Alice Corp. Pty. Ltd. v. CLS Bank Intern.*, 573 U.S. 208, 217  
22 (2014). If so, then the Court must determine what else is in the claims. *Id.*

23 Here, claim 1 is directed to the abstract idea of managing remote training. It claims a  
24 method of managing training completed remotely at a handheld device, involving several steps:  
25 the user transmits training data concerning the training taken by the user over a network to a  
26 training server; the method receives identifying information for the user with the training data file;  
27 it identifies the user; it authenticates the user; it records the training data in memory; and it locates  
28 and determines the status of a training file (e.g., did the user complete it). The dependent claims

1 add methods of authentication (such as a password or biometric template), or providing the user or  
 2 others with records of the status of the training. Independent claim 7 and its dependent claims are  
 3 pretty much the same, as are independent claim 13 and its dependent claims. (Despite the  
 4 specification’s boast that the patent also improves fixed, networked computers, every claim  
 5 concerns a method or system of managing training completed remotely at a handheld device.)

6 Managing remote training is an abstract idea. “[I]t is a method of organizing human  
 7 activity,” *Alice*, 573 U.S. at 220. In case the abstractness weren’t clear enough from the claims  
 8 themselves, the specification goes on to state that “‘training’ will be used herein primarily to  
 9 describe *all forms of education, instruction and training* that the present invention can broadly  
 10 apply.” ‘067 patent at 4:34-36 (emphasis added). Claim 1 can be accurately paraphrased as: Use  
 11 computers to track the training someone took, make sure it’s the right person, and keep a record of  
 12 the training status. Claims 2 and 3 are just more of using computers to make sure it’s the right  
 13 person. Claims 4, 5 and 6 say: use computers to provide records of the training to people. All of  
 14 the other claims can also be rephrased as: use computers to manage training. The actual tasks  
 15 involved in managing training contemplated by the patent are nothing more than identity  
 16 verification, record keeping and providing records – which businesses have been doing forever.  
 17 *See BSG Tech LLC v. Buyseasons, Inc.*, 899 F.3d 1281, 1285 (Fed. Cir. 2018) (“‘fundamental . . .  
 18 practice[s] long prevalent in our system of commerce’ are abstract ideas.”) (citation omitted).  
 19 Managing remote training is accordingly an abstract idea, similar to unpatentable ideas like risk  
 20 hedging or intermediated settlement. *See Alice*, 573 U.S. at 220; *Intellectual Ventures I LLC v.*  
 21 *Capital Bank One (USA)*, 792 F.3d 1363, 1367 (Fed. Cir. 2015) (“The abstract idea here” –  
 22 budgeting – “is not meaningfully different from the ideas found to be abstract in other cases before  
 23 the Supreme Court and our court involving methods of organizing human activity.”).

24 Riggs disputes this characterization of the patent, saying that it “has not attempted to claim  
 25 training or even managing training” and that its true focus is on “remote communications and the  
 26 concept of accessing training at anytime and anywhere.” Opp. at 8. But none of the claims refer  
 27 to training being available 24 hours a day, seven days a week (anytime) or everywhere on the  
 28 surface of the Earth (anywhere). They refer to managing training completed remotely at a

1 handheld device. Riggs seems to acknowledge that *managing training* is abstract and seems to  
2 contend that *completed remotely at a handheld device* is what saves the patent from abstraction.  
3 And it is true that the claims here require the use of a handheld device, rather than merely any sort  
4 of computer. But the patent does not purport to invent handheld devices, which it explains were  
5 pre-existing technology. ‘067 patent at 3:25-41. Indeed, without using the word “generic,” the  
6 patent makes factual assertions that certainly come close to describing handheld devices as generic  
7 computer equipment. *Id.* at 3:25-28 (“Hand held computing devices . . . are becoming  
8 increasingly popular for storing and maintaining information.”); *id.* at 3:48-52 (referring to several  
9 brands of “advanced data- and video-enabled wireless communication devices currently available  
10 in the market place”); *id.* at 3:57-58 (observing that personal digital assistants “are designed with  
11 the novice and non-computer user in mind”). In any event, the Federal Circuit has “consistently  
12 held . . . that claims are not saved from abstraction merely because they recite components more  
13 specific than a generic computer.” *BSG Tech*, 899 F.3d at 1286 (holding that considering  
14 historical usage information while inputting data into a database is an abstract idea, even though  
15 the type of database needed to perform the mechanism at issue was more specific than a generic  
16 computer). Accordingly, the use of a popular device (a handheld computer device) for its intended  
17 purpose (use it remotely) does not save this patent from abstraction.

18 The Court then turns to step two of the *Alice* inquiry. Do the claims have an inventive  
19 concept sufficient to transform the abstract idea into a patent-eligible application? *See Alice*, 573  
20 U.S. at 221. The answer is no. Claim 1 – in fact, every claim in the patent – merely requires  
21 “generic computer implementation,” *id.*, or at least equipment that is very close to generic. The  
22 implementation requires a handheld device capable of receiving and transmitting data through a  
23 network to and from a server, a server that stores and can provide records, and authentication  
24 capability. There is nothing inventive about applying the abstract idea of managing remote  
25 training to widely used and available computer equipment. *See Berkheimer v. HP Inc.*, 881 F.3d  
26 1360, 1370 (Fed. Cir. 2018) (holding claims lacked an inventive concept because they “amount to  
27 no more than performing the abstract idea of parsing and comparing data with conventional  
28 computer components”).

Every claim in the '067 patent is invalid under section 101. Vagaro's motion to dismiss is granted, and the complaint is dismissed without leave to amend.

**IT IS SO ORDERED.**

Dated: January 7, 2022

  
THOMAS S. HIXSON  
United States Magistrate Judge

United States District Court  
Northern District of California